



CM/ECF Newsletter

U.S. Bankruptcy Court—Eastern
District of Virginia
vaeb.uscourts.gov/ecfnew/ecf.html

CM/ECF Newsletter
August/September 2001

All New Petition Filings To Be On ECF System Effective January 1, 2002

Effective January 1, 2002, all new bankruptcy cases filed in the Eastern District of Virginia will be administered in the ECF system. What will this mean? For registered users in the Newport News Division, it will be business as usual. Nothing will change. For registered users in the Alexandria, Richmond and Norfolk divisions, this means that all filings must be made via the ECF system. Attorneys who are not registered users will be required to submit filings on a 3.5-inch diskette. Pro se parties may file documents in paper format.

Why will all cases filed on or after January 1, 2002, be administered in ECF? Alexandria, Richmond and Norfolk currently use two case management systems—ECF and NIBS. Only paper documents may be filed for cases administered in NIBS and only electronic documents may be filed for cases administered in ECF. The use of two case administration systems has led to much confusion amongst the bar over the past three years and has been burdensome to the Court. The decision was made to phase out the use of NIBS, the older of the two systems.

As we begin this transition to becoming a 100% ECF Court, this will have an additional benefit for ECF users. Data for cases filed in the NIBS case management system is not available in ECF for reports and calendars. Once all cases are on the ECF system, these reports and calendars will be more useful since they will contain information for all cases in the district.

As a registered ECF user, what will you need to do to prepare? Very little—especially for our ECF users whose practice is primarily representing debtors. Simply keep in mind that all new cases will be administered in ECF beginning January 1, which means that all documents must be filed electronically.

For additional information, please see the Clerk's notice, dated September 17th, which is available on the Court's Internet and ECF homepages.

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September 11, 2001

We wish to extend our sympathies, thoughts and prayers to all those who lost friends, family members or other loved ones in the attacks on our nation, September 11, 2001. The Eastern District of Virginia has registered ECF users in New York City and many more registered users in Washington, DC, Maryland, and northern Virginia, home to our Alexandria Division—less than five miles from The Pentagon.



Filing an Application For Compensation



Visit our ECF Homepage and select the 'Training Manuals' link to learn how to file your Application for Compensation properly. The procedure is a little tricky, so we highly recommend it.

Feel free to call us at the ECF Help Desk too. We'd be glad to walk you through it!



ECF Security

With security being a national priority in the wake of the attacks in the United States, one of the points of focus has been security in cyber space. While no system is 100% secure from attack, the ECF system has several levels of security.

Should you ever suspect a breach of this security—whether it is with your password or a document you have filed—please contact the ECF Help Desk as soon as possible.

Remember that you have the ability to change both your login and password for the ECF system. Go to 'Utilities' —> 'Maintain Your ECF Account.' You also have the ability to verify that a document in ECF is indeed the same document that was originally filed for that particular entry on the docket. Go to 'Utilities' —> 'Verify a Document.'

More information on both of these features may be found in the ECF Training Manual, available on our website, or by calling the ECF Help Desk.

Avoid Costly ECF Mistakes



A gentle reminder to all ECF users: Please be cautious in trying to fix mistakes on your own in ECF—it could be costly. Recently two of our users almost found out the hard way. One user filed a petition and then realized that the incorrect division had been chosen—AFTER clicking the Submit button on the final docket text screen (the screen with the red flashing 'Warning' message). The mistake was realized before the Notice of Electronic Filing was received, so the user figured that by simply stopping and starting over that the problem would be fixed.

What ended up happening was that the user ended up filing the same petition in two different divisions. Both divisions charged the user a \$200.00 filing fee. This was not a Clerk's Office error. This was not an ECF error. This story could have had an unhappy ending. Fortunately, since the error was caught the same day, the ending was a happy one—the ECF user was refunded the filing fee for the accidental duplicate case.

While Clerk's Office staff members will always strive to do their best in reducing the number of 'unhappy endings' for ECF users, we encourage everyone to be cautious in trying to correct errors on their own—especially when the document being filed involves a fee.

Here are a couple of helpful hints:

1) Once the Submit button is selected, you have sent the document for filing—assume it's a done deal. Just because you stop the transmission before receiving the Notice of Electronic Filing, does NOT mean that the ECF system has not received your document.

2) Should you want to verify whether or not your filing was received, either run a docket activity report for the particular case or check the 'View Transaction Log' under the 'Utilities' menu. Do this BEFORE attempting to file the document again.

3) Call the ECF Help Desk. We'll be glad to assist.

This Document is HUGE! How to Get Large Documents Into ECF



ECF users sometimes experience difficulty in filing a document in ECF due to the size of the document. Keep in mind that the number of pages in a document does **not** make a difference – the size of the file itself is the issue. At the ECF Help Desk, we advise users that filing documents more than 1 megabyte (1,000 Kilo Bytes) in size will usually not work. Why not?

Two factors come into play: security and data transmission time. When you file a document in ECF, you are transmitting data. The largest piece of this data is the PDF document itself. Data is transmitted via your modem (or DSL, cable, etc.) at a certain rate. That rate varies with the amount of Internet traffic at the particular time you are filing your document. For example, just because you have a 90K modem (which is pretty fast), doesn't necessarily mean that 90 Kilo Bytes of data per second are being transmitted. High Internet traffic will reduce that rate. This is why many users report ECF being "quicker" in the morning or on weekends. ECF isn't "quicker," the Internet is less congested and your data can be transmitted at a faster rate through cyber space.

Secondly, ECF gives users only five minutes of data transmission time per filing. If the data for a particular document cannot be transmitted in its entirety in this five-minute time window, ECF will 'time out' (i.e., give you a message, blank screen, etc.). Why only five minutes? For security reasons, the developers of ECF have determined that it is not secure to keep a constant connection for receiving data longer than five minutes. The integrity and security of the ECF system and its data is of the utmost importance to all of us.

With all that being said, how do you file documents whose file size is larger than 1 Mega Byte? If any portion of the document was scanned, check the resolution on your scanner – it should be for 8 ½ x 11 inch documents, no color, and the resolution no more than 300 DPI. If making these adjustments does not make the file less than 1 Mega Byte and you are not able to file it via ECF, please call the division of the Court in which you are attempting to file the document. Arrangements will be made for an alternative means of filing the document.



I Was Once The Trustee in This Case—What Am I Now??

This is a question we hear frequently by trustees who are filing a document in a case in which they are no longer the trustee. Upon the appointment of a new trustee, you (the former trustee) are 'terminated' in the ECF case. As a 'terminated' party, you will not find yourself as one of the parties on the Party Selection screen when filing a document.

You will have to add yourself as a party to the case. When doing so, select 'Former Trustee' from the 'Role' drop-down field on the party information screen. This is a new role, created specifically for this purpose.

Please call the ECF Help Desk if you have any questions about how to file something as a former trustee in a case.



Training Tip for Case Upload Users: Filing 341 Meeting Avoid Date Requests and Letters

For debtors' attorneys utilizing the Case Upload feature, you will need to go about filing letters of dates to avoid 341 meetings differently than standard case filing. Case Upload only allows you to upload the petition, Chapter 13 plan (if applicable), creditor matrix, and case data files.

To file a letter requesting that the Clerk's Office avoid certain dates when scheduling the 341 meeting, you will need to docket that event separately after the case is filed using Case Upload. Use the 'Letter' event, found under the 'Miscellaneous' link in 'Bankruptcy' events. At the Modify Docket Text screen, add a brief description in the secondary text window (i.e., 'requesting the avoidance of certain 341 meeting dates').

As always, please keep in mind that this is a request. We will do our best to honor each request. Sometimes, however, sometimes circumstances do not permit us to avoid all dates requested.

New Case Upload Feature: No Fuss, No Muss!

The new Case Upload feature in ECF has received rave reviews by users since its August 15th release in the Eastern District of Virginia. The standard method of filing a petition in ECF requires manually keying much of the same information that was keyed into the petition software program. Case Upload does away with that. Case Upload consists of one screen. Simply attach three files generated by your petition software, press the button and wait for the Notice of Electronic Filing. It's really that simple!

We have recently been contacted by and have forwarded the specifications to Top Form so that the next upgrade to Top Form will be ECF Case Upload compliant in our district. Good news for all Matthew Bender users!

If your petition software is Best Case, Bankruptcy 2001, E-Z Filing or Bankruptcy Plus, you may contact them directly to be sure you have the latest version of their software. The latest versions are ECF Case Upload compliant in our district.

If you have petition software other than the above-mentioned products, you may wish to give the company a call. We would be happy to give them the specifications they will need to make their product Case Upload compliant.

Emergency Closing of the Court: What Does It Mean for ECF?

On September 11, 2001, the court was closed after the attacks in New York City and The Pentagon. What happens to ECF when the court is unexpectedly closed? ECF remains available for filing documents and obtaining information, assuming nothing has happened to the ECF server or the building in which it is housed (loss of power, for example). While we hate to think of an emergency closing ever happening again due to circumstances such as those on September 11th, remember that the court may be closed unexpectedly due to other circumstances (i.e., weather).

Docket Activity Reports Available on ECF Homepage

For users who once used the Docket Activity report, our systems staff has developed an alternative method of accessing this information. The link is found on the ECF Homepage: 'Docket Activity Reports.' The reports are separated by day and by division for the previous seven days. Although access to the report is free, attempting to access either individual case docket sheets or documents from the report will prompt you with the PACER login screen.

The Docket Activity Report includes all docketing activity by all users in all cases. It is no longer available to ECF users in report format due to systems concerns.

ECF Statistics



August showed a surge in bankruptcy petitions filed via ECF—with 1089 petitions filed vs. 958 the previous month. Leading this surge was the Norfolk Division—up 119 filings over July. Alexandria also showed a significant increase in ECF petition filings. Here are the statistics by Chapter and Total.

<u>Division</u>	<u>July Total</u>	<u>August Total</u>
Alexandria	134	160
Newport News	298	285
Norfolk	336	455
Richmond	190	189

Filing an Amended Claim?



Here's How!

If you have been an ECF user since at least February of this year, you may recall some of the system glitches that occurred upon switching from the prototype ECF system to the current ECF system, Version I.

One of these glitches is using the Amended Claim feature when filing a claim. If the user enters a claim number in the 'Amends Claim #' field, an error notice will appear on the next screen. Unfortunately, this glitch still exists.

So, what if you want to file an amended claim? Instead of putting the number of the claim in the 'Amends Claim #' field put a brief description in the 'Remarks' field (i.e., 'Amends claim #6'). The 'Remarks' field is at the bottom of the Claims screen.

Should you have any questions regarding filing amended claims, we'd be glad to assist you. Simply call the ECF Help Desk. Once we receive word from our ECF support staff that this glitch is fixed, we will pass along the good news.

August 2001

<u>Ch. 13</u>	<u>Ch. 7</u>	<u>Ch. 11</u>
22	137	1
82	203	0
163	291	1
70	118	1



Attorneys Trained August 2001

Alexandria — 2

Mark Lewis
George Tuttle

Norfolk/Newport News— 2

S. Frear Hawkins
Charles Prentace

Richmond— 6

James Wright
Thomas Steger
Michael Mueller
Gary Nuckols
Samuel Patterson
Jesse Silverman

Attorneys Live August 2001

Alexandria — 4

Mark Lewis
Jennifer Kappel
Linda Regenhardt
George Tuttle

Norfolk/Newport News— 2

Marc Messier
Roger Grillo

Richmond— 5

Ernest Vaughan
Blackwell N. Shelley, Jr.
Abigail Phillips
Michael Mueller
Stephan Milo

Upcoming ECF Training Dates

<u>Division</u>	<u>Location</u>	<u>Dates and Times</u>
Richmond	Room 203 (Training Room) of the Powell U.S. Courthouse Building	October 4th @ 9:00 a.m. October 18th @ 9:00 a.m. October 23rd @ 9:00 a.m.
Alexandria	Training Room at the Bankruptcy Court	October 4th @ 9:30 a.m. October 16th @ 9:30 a.m. October 23rd @ 9:30 a.m. October 30th @ 9:30 a.m.
Norfolk/ Newport News	Clerk's Office Room 400	October 3rd @ 9:30 a.m. October 5th @ 9:30 a.m. October 10th @ 9:30 a.m. October 17th @ 9:30 a.m. October 19th @ 9:30 a.m. October 26th @ 9:30 a.m. October 31st @ 9:30 a.m.
